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SEP 03 2004

In re Application of	:	OFFICE OF PETITIONS
Smitherman et al.	:	
Application No. 10/664,737	:	DECISION ACCORDING STATUS
Filed: September 18, 2003	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. 127976-1000	:	

This is in response to the renewed petition under 37 CFR 1.47(a), filed August 19, 2004.

Petitioner has shown that Leo J. Peters III, the non-signing inventor, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the statement of facts of Jennifer S. Sickler establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the present petition. Notice of the filing of this application will also be published in the Official Gazette.

The matter is being referred to Technology Center AU 3661 for examination in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

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